

DATE: June 3, 2002

FILE REF: 2300

TO: Natural Resources Board Members

FROM: Darrell Bazzell

SUBJECT: Chronic Wasting Disease Management Emergency Rule

Purpose of the Rule

The attached emergency rule proposal will help protect Wisconsin's statewide deer herd from Chronic Wasting Disease (CWD). These proposals draw upon the best available information and science we could obtain. The regulations reflect our recommendations that the best approach to controlling CWD is to drastically reduce the deer population in and near the infected area so that diseased deer are less likely to transmit the disease to healthy deer in and around the infected area. Our plan is to reduce deer populations to as close to zero as possible in the infected Eradication Zone and to reduce populations within 40 miles to 10 deer per square mile of deer range. We also propose to prohibit practices that cause deer to concentrate, including baiting and feeding. We propose to place a higher priority on shooting deer for disease control than on recreational opportunities that these control efforts may conflict with.

Our CWD control plan was developed with the advice of CWD experts in other states and with consultation with the Department of Health and Family Services and Department of Agriculture, Trade and Consumer Protection. Saskatchewan, Colorado and Nebraska have similar control efforts where deer herds are being drastically reduced in infected areas to slow or stop the spread of the disease.

Background

CWD is caused by an infectious, abnormal protein (prion) that is passed from deer to deer both directly and indirectly. All deer with CWD will die. Population modelers predict that, left alone, deer infection rates will climb and local deer populations will collapse and CWD will spread to other areas of Wisconsin. If substantial numbers of hunters decide not to hunt in the infected area, the disease will not be controlled and deer populations would collapse.

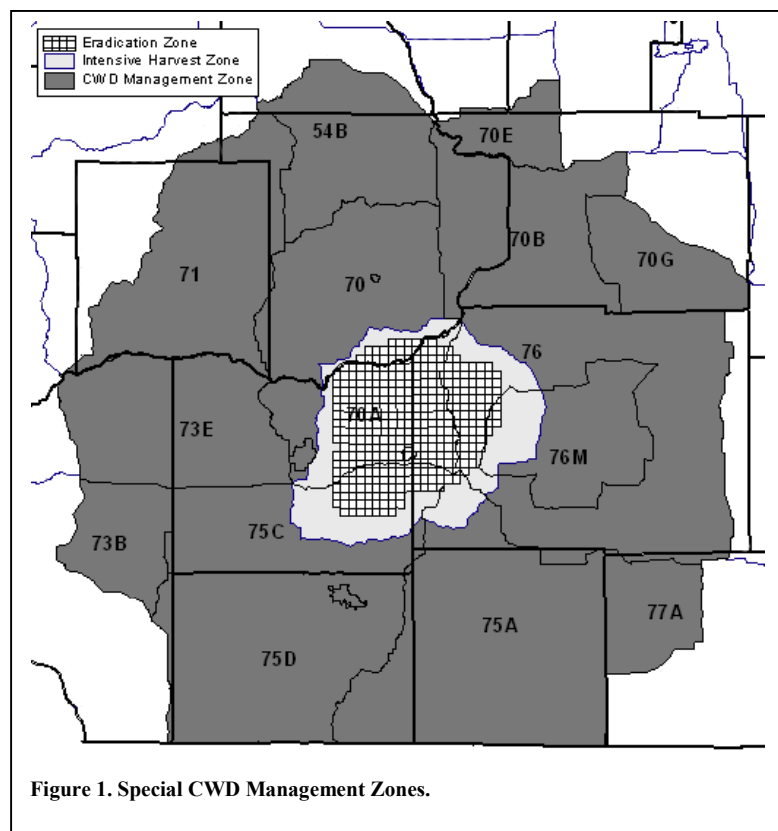
The potential negative impacts of CWD are very large. If substantial numbers of hunters decide not to hunt statewide, deer populations will increase with adverse effects on farming, the timber industry, motor vehicle collision rates, suburban conflicts, natural plant communities, other wildlife that require the habitat that deer browse, and over-winter deer survival. On a social level, this would impact one of Wisconsin's most cherished cultural traditions. On an economic level, there would be substantial impacts to local and state economies and state sales and income tax revenues as deer hunting has a \$1.5 billion annual economic impact in Wisconsin. On a conservation level, this would impact wildlife management, research, and law enforcement as a large share of the funding for these programs comes from deer license and permit revenue. Farmers would be further impacted as funding for wildlife crop damage payments comes from deer bonus permit sales and license surcharges.

Department staff have reacted quickly to this crisis by seeking information from other states, collecting data in the affected area, working closely with other state and federal agencies, seeking funds and testing capacity, finding safe disposal methods, and developing a plan to manage and possibly eradicate the disease.

Rule Proposal

Eradication, Intensive Harvest and Management Zones

The rule establishes 2 CWD zones for hunting regulations (Figure 1). The smaller Intensive Harvest Zone closely surrounds the positive CWD cases where the most intensive hunting regulations will be employed. The larger Management Zone is the adjacent area out to approximately 40 miles from the center of the positive CWD cases where somewhat less aggressive hunting regulations will be used. Both zones are identified by county and state highway boundaries. The Management Zone includes whole and partial deer management units bounded by highways. Part or all of units 70E and 73B were added to the original CWD Management Zone because they are largely within 40 miles of the Eradication Zone center. Four units originally proposed to be entirely in the CWD Management Zone were split, because substantial portions of these units are beyond 40 miles; these split units include 54B, 70G, 71, 77A.



This rule also establishes a CWD eradication zone where additional deer herd control activities will be authorized. In the eradication zone herd management tools available include sharpshooting by department employees, landowner shooting permits, helicopter use for drives and shooting, landowner shooting from tractors, and shooting from vehicles by department employees. This area is called the Eradication Zone where deer populations will be reduced to as close to zero as possible. Landowners are being contacted to let them know they are in this area and to let them know about the above herd management tools. The Eradication Zone is defined as an area within 9 miles of the center of the positive CWD cases and within 4 miles of any CWD positive deer. Currently, the eradication zone lies entirely within the Intensive Harvest Zone, but it could expand outside the Intensive Harvest Zone if new positives are found.

Special Authority in the Eradication Zone

The legislature has granted authorization for shooting from aircraft and vehicles by department employees, driving deer with aircraft, and landowner shooting from tractors. This rule describes the conditions under which aircraft may be used for shooting deer—December 1 – April 15. Aircraft may be used for other purposes any time of the year. This special authorization will expire June 30, 2004.

Population Goals

The emergency rule establishes a deer population goal of zero within the Eradication Zone where infected deer are known to occur. The rule establishes a population goal of 10 deer per square mile of deer range for all units and partial units in the Management Zone.

Hunting Seasons

Intensive Harvest Zone--The Intensive Harvest Zone will have a gun deer hunt from October 24 – January 31. The archery hunt will begin September 14 and run through January 31. There will not be a separate muzzleloader season.

Management Zone—The Management Zone will have gun hunts from October 24-27 (same period as the October Zone T); November 23 – December 15 (same hunting periods as the 9-day + muzzleloader + December Zone T); and December 21 – January 3 (Christmas week through end of regular archery season). The archery hunt will run from September 14 through January 3. There will be no separate muzzleloader season.

Permit System

We recommend an earn-a-buck system be used to achieve the level of herd reduction that is needed in both zones. In 1996 the earn-a-buck system resulted in a registered harvest of over 50 deer per square mile in unit 70A. During the '96 season, hunters could only earn one buck per license. This year hunters will be allowed to earn multiple bucks. For each antlerless deer shot, a hunter will earn the opportunity to harvest a buck. To make it easier for hunters, they could bring in both a buck deer and an antlerless deer without registering the antlerless deer first as long as the antlerless deer was shot first and accompanies the buck deer. Hunters could earn buck deer hunting authority with antlerless deer shot during the landowner hunt, archery hunt, and gun hunt periods; buck deer hunting authority would not be specific to a weapon type. Hunters could obtain up to 4 special CWD permits per day prior to and during the hunts.

Registration and Carcass Transportation

Intensive Harvest Zone--Deer harvested in the Intensive Harvest Zone would have to be registered in that Zone. Registration would be required by 5 p.m. on the day after the day that the deer was killed. The department does not have statutory authority to regulate movement of carcasses of registered deer. However, we will recommend to hunters that all unused part of deer carcasses be land-filled or incinerated.

Management Zone—Deer harvested in the Management Zone would have to be registered in the unit of kill or adjacent unit, but could not be removed from the Management Zone prior to registration. There would be no carcass transportation restrictions following registration. Registration would be required by 5 p.m. on the day after the day that the deer was killed.

Deer harvested outside the CWD Management Zone could not be registered in the CWD Management Zone or Intensive Harvest Zone. Deer harvested outside the CWD Management Zone could not be transported in or through the CWD Management Zone or Intensive Harvest Zone prior to registration.

Firearm Restrictions

Intensive Harvest Zone: Any legal firearm could be used including rifles. The Intensive Zone includes a portion of Dane County, which normally has a shotgun only restriction. The safety record and greater range of effectiveness of rifles, together with the need to harvest all deer in this zone, lead to this recommendation.

Management Zone: Firearms would be restricted to those normally allowed during the gun season for each county.

Blaze Orange

All hunters except waterfowl hunters would be required to wear clothing that is at least 50% blaze orange above the waist in the CWD gun hunts both in the Intensive Harvest and Management Zones.

State Parks and Waterfowl Refuges

The department is asking all landowners in the affected area to be part of the solution. Non-participating landowners create refuges for both the deer and the disease. The department is proposing that all department-managed lands also be opened to hunting for the same reason.

State Parks in the Intensive Harvest and Management Zones would be opened to deer hunting to reduce the herd and remove potential refuges (Table 2). Blue Mounds State Park is located in the Intensive Harvest Zone. Blue Mounds State Park would be open to gun and archery hunting in the mornings of October 24-27 and all day from October 28-December 15. Three of the larger parks in the Management Zone—Governor Dodge, Mirror Lake, and Devil’s Lake--would also be open to gun hunting during the mornings of October 24-27, but would then be open for gun hunting November 23 – December 15. Four parks in the Management Zone--Yellowstone Lake, Natural Bridge, Cadiz Springs, and Rocky Arbor State Parks--would be open for gun hunting from November 23 to December 15. Archery hunts in all of these Management Zone parks would begin on November 23 and end on December 15, except those that currently end at the end of the regular archery season (January 3); these late archery hunts would occur on Mirror Lake, Yellowstone Lake, Devil’s Lake, and Rocky Arbor State Parks. Park hunters would be required to have a state park sticker on their vehicle. Park deer hunters numbers would not be limited. Hunters will be required to obtain a map to know what parts of the park are closed to hunting. Park hunters would be under the same firearm restrictions as for the county that the park is located in.

Lake Kegonsa and Governor Nelson parks are in urban areas and would have their deer populations reduced by sharpshooting either through contract or by department employees. New Glarus Woods park is almost entirely in designated use areas, so deer would similarly be removed by sharpshooters only.

Waterfowl refuges within the Intensive Harvest Zone and the Management Zone would be opened to deer hunting during the gun deer hunt.

Landowner Permits

Deer removal permits will continue to be issued to landowners in the eradication zone under the newly codified permitting process. Permits would be issued to landowners or to lessees and occupants with the permission of the landowner. Anyone could participate in these hunts if they have written permission from

the landowner and meet the normal age and hunter safety requirements for hunting. Licenses would not be required for participants except during gun and archery seasons. There would be no limit on the number of deer killed. Harvested deer would have to be registered at a designated registration station.

Baiting Prohibition

Many people at each CWD public meeting asked the department to ban baiting and feeding statewide. The recently increased interest in banning baiting and feeding stems from concern for the spreading of disease from infected deer to healthy deer before we can detect the disease with standard monitoring procedures.

Baiting for any hunting purpose would be banned statewide to reduce the chance that a disease would become established and spread in local deer herds. An exemption is granted for baiting for bear if the bait is placed in a manner that the bait is not available to deer (i.e. in hole or hollow stump with log or rock cap). Foods produced as a result of normal agricultural practices, standing crop foods plots, and natural vegetation are not considered bait in this regulation. See Appendix C for disease related information.

Feeding Prohibition

The department has the legislative authority to regulate the feeding of wildlife through June 30, 2004, (Appendix D.) during this time period wildlife feeding would be prohibited where the feed is accessible to deer statewide to reduce the chance that a disease would become established and spread in local deer herds. This rule would not prohibit bird and small mammal feeding where the feed is inaccessible to deer. The rule would also continue to allow feeding of wildlife by people attending the feed as long as they removed the feed when they left the site. Devices that are designed to cast feed to the ground would be prohibited. Many people at each public meeting asked the department to ban deer feeding statewide. See Appendix C for further information.

Sampling for Disease

The rule clarifies that the department may sample a hunter-harvested deer for disease testing purposes.

Diseased Deer Replacement Permits

The rule allows the department to issue replacement permits to hunters who surrender to the department a deer believed to be diseased. This provision would encourage hunters to shoot and have potentially sick deer tested. The rule would apply to the area of the state outside the CWD Management and Intensive Harvest Zones (unlimited permits would be available in these 2 zones).

Public Involvement

Our CWD control plan will not work without public support, particularly in and near the infected area. Department staff used focus groups, public meetings, and questionnaires to determine significant public issues and gauge support. Approximately 5000 people attended the many public meetings with the largest being at Mount Horeb, Green Bay, EauClaire, Rhinelander, and Waukesha. Additional meetings were held at Reedsburg, Prairie du Chien, Hayward, Stevens Point, Sheboygan, Peshtigo, and Viroqua. A total of 3097 people completed and returned the CWD Management Questionnaire which was available at public meetings and on the DNR web site (see results in Appendix A). Four focus groups were conducted with Eradication

Zone landowners with a Quality Deer Management philosophy; Eradication Zone landowners with a traditional hunting approach; Eradication Zone landowners who have not allowed hunting on their lands; and hunters from outside the area who hunt in the Eradication Zone (see Appendix B for a summary of their comments).

We compared responses to the questionnaire of 5 groups of people: all respondents; those who attended the Mount Horeb Meeting; Eradication Zone landowners; CWD Management Zone landowners; and Unit 70A hunters. While these groups varied in their level of support for various parts of the CWD management plan, they all had at least 84% supporting an aggressive management approach (Table 1). They believe that this is a very serious situation. For specific portions of the management plan, the percentage supporting each strategy was greater than 50% for all groups except for Management Zone landowners in the case of the earn-a-buck permit system. The strategies with the least overall support included earn-a-buck rules (55%), allowing rifles across the entire Management Zone (63%), and paying for testing of harvested deer (67%). Although there is a great deal of support for most strategies, a review of core area landowner responses shows the challenge ahead. One-third of core area landowners did not support reducing the deer population by at least 90%. About one-third also did not support the gun season length, the use of control measures beyond hunting, and beginning control efforts as soon as possible. Similarly, about one-third of the CWD Management Zone landowners did not support the reduction of the deer herd in this zone by 50%.

Comments from Focus Group participants illustrate the complexity of the issues and the differences of opinion among affected hunters and landowners (Appendix B). Although the questionnaires show widespread support for most CWD control strategies, the focus groups show some specific concerns. Focus group participants were generally in agreement that CWD is a serious problem and that an aggressive approach is needed. Participants had a wide range of opinions on the most appropriate specific strategies. Interestingly, each focus group had significant support for an earn-a-buck permit system as a necessary incentive for hunters to shoot more deer.

Since the finding of CWD in Wisconsin, many organizations and individuals have asked the department to ban baiting and feeding of deer across the state rather than limit the ban to the CWD management area. This comment was heard over and over at the many public meetings on CWD. The Conservation Congress executive council voted to support such a ban. Deer hunter organizations supporting a statewide ban on baiting and feeding include the Wisconsin Deer Hunters Coalition, Wisconsin Deer Hunters Association, Whitetails Unlimited, St. Croix Sportsmens Alliance, Sheboygan County Sportsmens Alliance and Wisconsin Bowhunters Association. Other organizations supporting a statewide ban include the Wisconsin Farm Bureau and the University of Wisconsin-Madison Wildlife Ecology Department. Although we know some support continued opportunities for feeding and baiting, we are not aware of organizations that have announced a position in favor of feeding and baiting since CWD was detected in Wisconsin's deer herd.

Rule Development:

These rules were developed with the assistance of the Bureaus of Law Enforcement, Legal Services, Integrated Science Services, Customer Services and Licensing, Parks and Recreation, and Endangered Resources as well as the Department of Health and Family Services, the Department of Agriculture, Trade and Consumer Protection, and the University of Wisconsin.

Regulatory Flexibility Analysis:

The revisions to NR Chs. 10, 12, 19 and 45 Adm. Code, pertains to rules relating to hunting, deer management, special permits, state parks and feeding of wildlife. These rules are promulgated under the authority of s. 227.24, Stats. and therefore a final regulatory flexibility analysis is not required pursuant to s. 227.19(7), Stats.

Environmental Analysis:

The revisions to NR Chs. 10, 12, 19 and 45 Adm. Code, are emergency rule changes required to protect the public health, safety and the human environment and therefore under s. NR 150.03(4)(c), Adm. Code an environmental analysis as described under NR Chr. 150, Adm. Code is not required.

Table 1. Chronic Wasting Disease Management Questionnaire Results
(% of people with an opinion answering yes)

Question	Statewide	Management Zone Landowners	Core Area Landowners	Unit 70A hunters	People attending Mt. Horeb Meeting
CWD is a serious threat	95	93	92	93	95
CWD should be managed aggressively	94	88	84	89	91
Reduce core area deer population at least 90%	87	80	65	76	83
Reduce Management Zone deer population by 50%	82	64	69	78	78
Ban deer baiting in Management Zone	87	89	90	91	90
Ban deer feeding in Management Zone	90	88	90	92	92
Unused parts of Management Zone deer carcasses must go to landfill	85	80	81	86	86
Deer carcasses cannot be removed from Management Zone	76	79	70	76	79
Gun Season Oct. 24 – Jan 31 in Management Zone	80	61	68	78	75
Allow rifles across Management Zone	63	64	54	64	64
Issue landowner permits year round	87	83	76	86	88
Unlimited either-sex deer permits	79	62	67	70	75
Either sex plus unlimited earn-a-buck	61	58	51	57	61
Unlimited earn-a-buck with 1 antlerless deer shot per buck	55	46	53	53	51
Unlimited earn-a-buck with multiple antlerless deer shot per buck	54	45	59	56	54
Deer shooting for CWD management is a higher priority than other recreation	89	80	72	85	87
Will shoot more deer in the core area	81	80	85	92	90
Will shoot more deer in the Management Zone	84	83	77	88	89
Will pay for CWD test on harvested deer	67	69	65	62	66
¹ Average maximum willing to pay for test	----	----	----	----	----

Use control measures beyond hunting such as sharpshooting	88	78	68	77	82
Begin control efforts as soon as possible	88	80	65	76	83

¹ Average maximum respondents were willing to pay for testing ranged from \$25 - \$30

Table 2. PROPOSED CWD HUNTING SEASONS IN STATE PARKS

		Season Dates				
		Oct 24	Oct 27	Oct 28	Nov 23	Dec 15 Jan 3
CWD Intensive Harvest Zone						
Blue Mound	Rifle (a.m.)			Rifle	-----	
	Archery (a.m.)			Archery	-----	
CWD Management Zone						
Gov. Dodge	Rifle (a.m.)				Rifle	-----
	Archery (a.m.)				Archery	-----
Mirror Lake	Rifle (a.m.) --				Rifle	-----
	Archery (a.m.)				Archery	-----
Natural Bridge					Rifle	-----
					Archery	-----
Devil's Lake	Rifle (a.m.) --				Rifle	-----
	Archery (a.m.)				Archery	-----
Yellowstone Lake					Shotgun	-----
					Archery	-----
Cadiz Springs					Shotgun	-----
					Archery	-----
Rocky Arbor					Rifle	-----
					Archery	-----

New Glarus
Lake Kegonsa
Gov. Nelson

Mostly Designated Use Area; sharpshooters only
Urban; sharpshooters only
Urban; sharpshooters only

Appendix A. Chronic Wasting Disease Management Questionnaire

Chronic Wasting Disease (CWD) is an infectious disease that was recently discovered in western Dane County and eastern Iowa County. It threatens deer and deer hunting in Wisconsin. Regulations in the CWD management area are being developed. Your feedback on this form will be helpful to the DNR and Natural Resources Board as they make tough decisions about controlling CWD. **Return this questionnaire at the meeting you are attending, or send it to: Bill Vander Zouwen, WM/4, Box 7921, Madison, WI 53707.** (See map of CWD Core/Surveillance Area and CWD Management Zone to answer this questionnaire)

3097 Total Responses

1. **Survey Source:** Please check where you obtained this questionnaire (CHECK ONE):

558 Mount Horeb meeting 961 Waukesha meeting
144 Eau Claire meeting 385 DNR website: www.dnr.state.wi.us/org/land/wildlife/whealth/issues/CWD/
206 Rhinelander meeting 501 Other _____
342 Green Bay meeting

CWD Management Philosophy:

- (a) Do you consider CWD a serious threat to deer and deer hunting in Wisconsin?
2890 Yes 140 No 48 No opinion 19 No Response
- (b) Do you believe that CWD must be managed aggressively?
2758 Yes 184 No 100 No opinion 55 No Response

3. **CWD Core Area and Management Zone Deer Herd Reduction Strategy:**

- (a) **Core Area (see map):** To reduce transmission and spread of CWD, do you believe it is reasonable to try to quickly reduce the deer herd by at least 90% near locations where CWD-positive deer were found?
2518 Yes 369 No 146 No opinion 64 No Response
- (b) **Management Zone:** To reduce the chance of spread of CWD to other areas of the state, do you believe that it is reasonable to try to quickly reduce the deer herd 50% below current levels in deer management units within 30-40 miles of the CWD-positive deer (it is not uncommon for young bucks to disperse 10 miles or more in a year)? (Note: this larger buffer zone would be called the CWD Management Zone and is proposed to include deer management units 54B, 70, 70A, 70B, 70G, 71, 73E, 75A, 75C, 75D, 76, 76M, and 77A)
2263 Yes 494 No 260 No opinion 80 No Response

4. **Baiting and Feeding Restrictions:**

- (a) Do you believe that baiting for hunting purposes should be banned in the CWD Management Zone to try to reduce contacts among deer and spread of CWD?
2577 Yes 375 No 123 No opinion 22 No Response
- (b) Do you believe that deer feeding should be banned in the CWD Management Zone to try to reduce contacts among deer and spread of CWD?
2647 Yes 295 No 117 No opinion 38 No Response

5. **Carcass Disposal:**

- (a) Do you believe there should be a rule requiring all unused parts of deer (excluding guts) killed in the CWD Management Zone to be land-filled or rendered?
2265 Yes 397 No 359 No opinion 76 No Response
- (b) Do you believe there should be a rule requiring that only antlers, hides, and venison could be removed from the CWD Management Zone?
1973 Yes 611 No 427 No opinion 86 No Response

6. **Gun Hunting Season Length:** To maximize hunter opportunities to shoot deer, do you think there should be a long gun deer hunting season such as the proposed October 24 to January 31 in the CWD Management Zone (note: archery equipment and muzzleloaders could be used during this period; blaze orange would be required for all hunters except waterfowlers)?
 2301 Yes 594 No 165 No opinion 37 No Response
7. **Firearm Restrictions:** Do you think hunters should be able to use rifles anywhere within the CWD Management Zone to maximize deer shooting opportunities?
 1752 Yes 1046 No 278 No opinion 21 No Response
8. **Landowner Shooting Permits:** Do you think that DNR should issue permits to landowners, similar to the agricultural damage shooting permits, allowing landowners and hunters who have their permission to shoot deer year round in the core area?
 2553 Yes 386 No 113 No opinion 45 No Response
9. **Permit System:** Which of the following do you support for encouraging hunters to shoot more deer than normal in the CWD Management Zone?
- (a) Unlimited either-sex deer permits
 2001 Yes 524 No 162 No opinion 410 No Response
 - (b) Either sex 1st tag plus unlimited antlerless only tags and additional buck tags for each antlerless deer shot by a hunter?
 1055 Yes 681 No 289 No opinion 1072 No Response
 - (c) Unlimited antlerless deer tags and hunter can earn a buck tag for each antlerless deer shot
 981 Yes 800 No 279 No opinion 1037 No Response
 - (d) Unlimited antlerless deer tags and hunter can earn buck tags by shooting multiple antlerless deer
 959 Yes 811 No 286 No opinion 1041 No Response
10. **Recreation Conflict Resolution:** Do you believe that DNR's policy on conflicts between deer hunting and other types of recreation in the CWD Management Zone should be to resolve these conflicts in favor of deer herd control for disease management?
 2453 Yes 301 No 232 No opinion 111 No Response
11. **What unit have you done most of your deer hunting in recently?** Unit _____
 (skip this question if you don't hunt deer in Wisconsin)
12. **Do you own 10 acres or more of land in the:**
- (a) Core Area (near CWD positive-deer locations) 201 Yes 2735 No 161 No Response
 - (b) 13 deer management unit CWD Management Zone 404 Yes 2492 No 201 No Response
13. **Your intentions for the 2002 Hunting Season:**
- (a) If you are a hunter who normally hunts near (within 10 miles) the CWD positive deer locations (see map), will you help control CWD by trying to shoot more deer than usual in this area?
 573 Yes 133 No 222 Not sure yet 2072 Not applicable to me 97 No Response
 - (b) If you are a hunter who normally hunts in the larger proposed CWD Management Zone, but outside the Core Area, will you help control the spread of CWD by trying to shoot more deer than usual in this Zone?
 770 Yes 144 No 337 Not sure yet 1685 Not applicable to me 161 No Response
14. **Testing for CWD in hunter-killed deer:**
- (a) Testing capability is expected to be limited compared to demand due to limited lab capacity, limited numbers of qualified pathologists, and limited funds. Actual test cost may exceed \$100.00 per deer, but some of the costs may be subsidized. Would you be willing to pay a lab fee to have your deer tested?
 1261 Yes 632 No 753 Not sure yet 370 Not applicable to me 81 No Response
 - (b) What is the most you would pay to have a deer tested? Average~ \$30
15. **Control Measures Beyond Hunting:**

- (a) Hunting alone is not expected to reduce the Core Area population low enough to stop the spread of CWD. To help control the spread of CWD, do you support using control measures beyond hunting seasons and permits to reduce the herd in the Core Area (for example, DNR or USDA sharpshooters with permission of landowners)?

2497 Yes 350 No 189 No opinion 61 No Response

- (b) Do you support efforts to control deer numbers as soon as possible and prior to the hunting season in the Core Area (for example, landowner permits and DNR/USDA sharpshooters)?

2535 Yes 349 No 152 No opinion 61 No Response

Appendix B. CHRONIC WASTING DISEASE

PUBLIC RESPONSE TO MANAGEMENT PROPOSALS AND DISEASE CONTROL MEASURES

A *VERY* BRIEF SUMMARY OF FOUR FOCUS GROUPS

INTRODUCTION

This research was conducted to collect public response to various management proposals designed to control the spread of Chronic Wasting Disease (CWD) in Wisconsin. To gather information on how the public might respond to these proposals, four focus groups were conducted. These groups provided opportunities for the participants to describe their attachment to their land (i.e., management, history, and experiences), to deer and deer hunting in the infected area and then offer opinions and voice any concerns they may have about the proposals. (See Addendum.)

The purpose of this summary is to highlight the few generalizations (topics where there was general agreement across the groups) and to identify any “red flags” – that is, topics which the Department should pay particular attention and proceed cautiously.

SEASON FRAMEWORK

Participants had much to say about the proposed longer season of October 24 through January 31. In general, response to the proposed season was negative. In a nutshell, they doubted a longer season would result in a higher deer kill. Conflict with the bow season was mentioned as a primary reason for their opposition. Other reasons for opposition include:

- They thought it would be tough to motivate hunters over such a long period.
- Landowners would be continually bothered by trespassers and/or hunters asking for access to their land.
- Landowners may require an incentive for their cooperation.
- They questioned the success of any previous lengthened deer season.
- They doubted that non-hunting landowners would open their land to hunters.
- Hunters may not shoot deer if they can't use the meat – either by their family or by donations to food pantries.

- Over a three-month period the deer will disperse beyond the targeted area.
- Non-hunters spoke of safety concerns and change in lifestyle as reasons for their opposition.

With few exceptions, they were generally opposed to splitting the season into two or three shorter seasons. Some thought there would be too much confusion between safe and unsafe times to be outdoors.

Not everyone was critical. A few hunters/landowners in the groups spoke of hunter responsibility and duty. Their belief was that deer hunting as they know it in the area has probably changed forever. It's now the hunters' duty to assure the future of deer hunting by drastically reducing the herd today. In their words, "This is a job."

PREFERRED PERMIT SYSTEM

Four permit systems were discussed: unlimited either sex, earn-a-buck, buck hunt + antlerless for additional buck tags, and multiple antlerless per buck. It's worth noting that each group for consideration volunteered the multiple antlerless per buck option. Of the four options, earn-a-buck garnered the most support. The general agreement was the proposal requires hunters to "do their duty as a hunter" by harvesting a doe prior to harvesting a buck – hence, this option was the surest way to reduce herd numbers.

(Non-hunters voiced strongest support for the multiple antlerless deer per buck.) The following reasons help explain why hunters and landowners believe this proposal to be an effective way to reduce the deer herd:

- Most hunters are buck hunters – this proposal would force hunters to shoot an antlerless deer prior to harvesting a buck.
- If a hunter harvests any deer, at a minimum it will be a doe.
- "Die-hard" buck hunters will shoot multiple does if they can then harvest multiple bucks.

Opposition to an earn-a-buck proposal was explained as:

- Needlessly punishing some hunters.
- Many, if not most hunters, are buck hunters, and are not interested in nor do they believe in taking antlerless deer.
- The name implies agency control rather than hunter freedom.
- The voluntary harvest of does might hurt the landowner in a future year when earn-a-buck is required.
- Since bucks disperse more so than does, containing the disease may be slowed down by the potentially reduced buck harvest.
- After opening weekend, bucks will disperse, hide, and become nocturnal.
- Landowners will resent not being able to harvest what they want from their land.

POPULATION GOALS

In general, the landowners and hunters doubted that a population goal of five to 10 deer per square mile was attainable. Further, given the persistence of the disease in the western states, they questioned the Department's reduction strategy. The following reasons summarize their opposition:

- They recognize that reaching the population goal will require killing high numbers of healthy, non-infected deer. This is upsetting to some.
- They question why the Department advocates killing deer in lieu of other possible strategies for containing the disease.
- They question why the reduction strategy does not originate from the outer management units and work towards the core area, rather than outward from the core area.
- Landowners that do not hunt their land will be a serious obstacle to achieving the goal.
- The Department might have to rely on strong-arm tactics to increase the deer kill on some private land.
- The goal, if reached, is too low, and will force hunters to hunt elsewhere or "hang it up."
- The habitat and cover is "too good" and makes the goal unattainable.
- Efforts should be directed at attaining previously set goals of 20 to 25 deer per square mile in the area, rather than five to 10 deer per square mile.
- As territory in the core area becomes available, deer from outlying areas will move in and the eradication will need to be repeated.
- CWD is not density dependent – seclusion and containment of the disease is more critical.
- There are fewer deer today than 40 or even 20 years ago.

Not everyone was opposed to the population goals. In each of the hunter groups, at least one participant broke ranks to state that the proposed population goals probably represent historically accurate herd numbers that are "near the actual biological carrying capacity of the habitat."

Non-Hunt Landowners

These landowners thought there were far more deer today than 10 or 15 years ago. They believe deer are a problem and while there was strong support for reducing the herd, there was even stronger opposition towards the methodology and proposals. In their words, "The methodology doesn't look sound to me."

Strong opposition was voiced against allowing the public to hunt their land. However, there was reasonably strong support of providing access to their land for "professional" sharpshooters from the DNR to reduce the herd. They cautioned that working with the landowner (i.e., scheduled time of shooting) will be essential.

TESTING DEER FOR CWD

Hunters want to know that a deer harvested in Wisconsin is safe to eat. With that in mind, the availability of having deer tested for chronic wasting disease is very important to all hunters. In particular, they noted that:

- The testing lab should be in Wisconsin and they question if one lab would be sufficient.
- They want reasonably fast results (within a couple of weeks).

- They want assurances that the results are accurate (the lab should be state certified and have low to zero levels of false-positive results).
- Many hunters would be willing to pay to have their deer tested.

While all hunters recognize the numerous risks inherent in deer hunting, up until a few months ago consuming venison was not one of those risks. Consuming contaminated venison is a risk that hunters would like to eliminate.

BAITING AND FEEDING DEER

Hunters and non-hunters strongly support a ban on deer baiting and feeding. Some volunteered that a ban should be statewide rather than limited to the surveillance counties. As one participant stated, “That’s the first thing you ought to do, other than having no more deer and elk imported from other places.” Participants discussed the nuances of baiting and feeding and concluded that “You’re baiting to kill and you’re feeding to see.” With that recognition, if a ban is imposed, they believe it should be done in the “strictest manner” to include baiting and recreational feeding. The non-hunters agree. Exemplary of the non-hunter group, this avid birder stated, “I would have to agree with it [a ban on feeding]. It’s a necessary evil. I’m happy that I get to use the feeder I do have, but I would most certainly agree with that [ban].” The issue, however, is not crystal clear. Some hunters and non-hunters cautioned that a ban on recreational feeding should not be the demise of bird feeding and bird watching in the state.

ADDENDUM

Methodology

Staff sociologists from the DNR's Bureau of Integrated Science Services conducted the focus groups. Four groups were conducted in the infected area with a total of 32 people. The table below presents the groups along with their location and number of participants.

Group	Location	Participants
Quality Deer Management (QDM) landowners/hunters	Dodgeville	9
Non-QDM landowners/hunters	Mt Horeb	8
Area hunters residing outside infected area	Dodgeville	8
Landowners allowing zero or limited hunting access	Mt Horeb	7

The discussions generally followed this outline:

- Recreation use and management practices on their land;
- Questions and concerns about CWD;
- Proposed season framework;
- Proposed hunting regulation options;
- Proposed landowner permits;
- Perception of herd population;
- Proposed population goals;
- The importance of the availability of testing deer for CWD;
- Opinions of recreational deer feeding and baiting and the

regulation of those activities;
Intentions of hunting this season.

Each focus group was audio-taped and a verbatim transcript (representing qualitative data) was produced. A wildlife manager from the area was present in each group to answer questions essential to the continuance of the discussion.

Because of the short timeline (one month to identify and recruit participants, conduct the groups, analyze the transcripts, and write a report) each stakeholder group was limited to a single discussion. Under a more liberal timeline, multiple discussions would have been conducted with these and other stakeholder groups.

A comment on focus group research.

Focus groups are small groups of seven to ten people brought together under the guidance of trained moderators to discuss specific topics. Their purpose is to generate insights and ideas into concepts under consideration. Unlike survey research focus groups allow participants to listen and to respond to one another as well as to the moderators. It also gives them a chance over a two-hour period to think about and to comment on their experiences and concerns.

It should be kept in mind that the 32 people interviewed for this research do not constitute a random sample of the thousands of people who deer hunt or reside in the infected area. Although similar stories and themes emerged during these discussions they should be treated with caution and may not represent the public at large. This is in keeping with the purpose of focus groups: to generate insights and ideas rather than statistical data that can be projected to the population as a whole.

Focus groups generate narrative information rather than numerical data that characterizes survey research. Using a content analysis process, researchers independently review the focus group transcripts to identify and summarize recurrent themes. These themes constitute the major sections within a report. The participant comments included in the summary typify the types of comments heard during the discussions.

Appendix C

DEER FEEDING AND BAITING IMPACT ON DISEASE TRANSMISSION

June, 2002

ISSUE: The practice of artificially supplementing the diet of free-ranging white-tailed deer through feeding and baiting has the effect of concentrating deer and facilitating animal to animal contact. A consequence of the increased opportunity for contact is the increase in transmission of infectious disease among deer.

BACKGROUND: The discovery of Chronic Wasting Disease (CWD) in Wisconsin free-ranging white-tailed deer has intensified an ongoing state dialog about how deer feeding and baiting may increase the risk for infectious disease transmission and establishment in Wisconsin's deer population. Though concern at the moment is focused on managing deer feeding and baiting as part of the state's efforts to eradicate CWD, it is important to consider how state-wide feeding and baiting practices put the wild deer population at higher risk for a variety of serious diseases which could include anthrax, brucellosis, hemorrhagic disease, vesicular stomatitis, leptospirosis, listeriosis, bovine tuberculosis, tularemia, anaplasmosis, and brain worm.

Any of these diseases, all of which have been found in free-ranging white-tailed deer in North America, could be spread more readily in situations where deer are artificially concentrated and deer to deer contacts, as well as contact with urine, feces and saliva, are increased (Hurley 1995). Additionally, concern has been expressed about biotoxins, such as aflatoxin, commonly found in grains sold as wildlife feed and their potential to poison deer exposed by feeding or baiting (Schweitzer et.al, 2001).

Specific research on the health impacts of baiting and feeding is limited because baiting deer is illegal in many states, baiting and feeding are variably practiced in different states, and to date they have not been widely viewed as management issues (Dawson 1988). However, current ongoing studies in Michigan on these practices, and general research on the relationship between disease transmission and density and congregation of animals are useful when considering the disease impacts of feeding and baiting.

BIOLOGY: The primary biological consideration of baiting deer is the increased potential for disease transmission whenever animals are concentrated (Leopold 1933). The provision of artificial food sources encourages unnatural congregation of animals, thereby increasing contact and enhancing the transmission of infectious agents (Barlow 1996). The repeated placement of bait and feed in the same locations amplifies these concerns. Additionally, augmenting available food and therefore energy sources, can enhance the reproductive productivity of deer, and therefore allow the size of a population to reach artificially high levels (Waller and Alverson 1997). Maintaining deer populations within the limits of the habitat carrying capacity probably is the single most effective means of reducing density dependent problems including infectious diseases (Davidson 1981).

Bovine tuberculosis (TB) was detected in Michigan free-ranging white-tailed deer in 1994, the first time TB has been found as an established disease in North American wild deer. Scientists, biologists, epidemiologists, and veterinarians who have studied this situation have concluded that the most logical explanation is that high deer densities and the focal concentration caused by baiting and feeding are the factors most likely responsible for the establishment of self-sustaining bovine TB in free-ranging Michigan deer (Schmitt et al. 1997). As part of the evaluation of the TB eradication process in Michigan, research is being conducted to determine the effects of feeding and baiting on deer movement, migratory patterns, and behavior, and disease transmission. Concentration of deer leads both to close animal-to-animal contact and stress that are likely to be important in the transmission of bovine TB. Baiting and feeding provide ideal conditions for transmission of bovine TB via both inhalation of infectious aerosols and ingestion of bovine TB contaminated feed. Types of food commonly used for baiting and feeding, such as corn or apples, can harbor infectious TB bacteria for at least 28 days, especially at low temperatures (Whipple and Palmer 2000).

It has been suggested that an acceptable compromise to the banning of feeding and baiting would be putting limits on the amount of foodstuffs that could be fed. This is unlikely to be effective in controlling the spread of disease. A recent study completed in Michigan concluded that the number of nose to nose contacts per deer was greatest over a 5 gallon bait pile of corn, the smallest amount studied (Garner 2000). Thirty five different deer (multiple family groups) have been documented visiting a 2-gallon feed site in Wisconsin. While only a few deer eat the entire supply, the other deer keep coming to inspect and perhaps lick the site (M. Beaufeaux, pers. comm.).

Larger piles of feed attracted more deer for longer periods of time and were more likely to be contaminated with bodily fluids. While large bait piles carry an increased likelihood that a diseased deer would be among those gathered, the higher rate of contacts over the smaller piles cannot be ignored in developing a disease control strategy (Garner 2000).

Chronic wasting disease, which is also an infectious disease, has been found in free-ranging white-tailed deer in Wisconsin, and free-ranging deer and elk in Colorado, Wyoming, Nebraska, South Dakota, and Saskatchewan. Experimental and epidemiologic evidence suggests infected deer and elk transmit the disease through animal-to-animal contact and/or contamination of food or water sources with saliva, urine, and/or feces (Williams and Young 1980, Miller, et al 1998, Sigurdson et al 1999). The World Health Organization (WHO) concludes in the summary document of the Consultation on Transmissible Spongiform Encephalopathies (TSEs) that the epidemic dynamics of CWD most closely resemble those of scrapie in sheep, another TSE where transmission between animals through close contact is important (WHO 1999). The highest CWD infection rates documented (20-50%) have occurred in captive cervid populations housed in farm or research settings (WHO 1999; B.Morrison,pers. com.). However, CWD prevalences of 15%-20% have also been found in wild deer populations in Colorado, specifically in dense peri-urban populations and associated with artificial (illegal) feeding (M. Miller, pers.com.) This has led CWD researchers to conclude that prohibiting feeding and baiting of deer and elk should be considered in strategies to prevent, control, and eradicate CWD (Gross and Miller, in press).

SUMMARY: Elimination of baiting and supplemental feeding of deer may reduce the deer population as the herd density responds to the carrying capacity of the land, and, of critical importance, will decrease contact among deer and, consequently, contact with potentially infectious urine, feces and saliva. Artificial feed supplies (baiting and supplemental feeding) increase the density of deer and focus their browsing activity to the extent that other resources are damaged (Doenier et al. 1997, Waller and Alverson 1997). Even if the deer herd density is not artificially inflated, the presence of feed and bait encourage unnatural congregation of the animals, thereby increasing contact among deer and enhancing the transmission of infectious agents (Barlow 1996).

Although there is no precedent for attempting to manage a TSE in free-ranging wildlife (Miller and Kahn 1999), scientists feel that there is strong evidence for increased risk of infectious disease transmission associated with deer feeding and baiting as it is currently practiced in Wisconsin. The magnitude of this increased risk is impossible to quantify. However, in the context of the state's current expensive and difficult efforts to eradicate CWD, taking measures to eliminate the risks posed by feeding and baiting are prudent, do-able, and important imperatives.

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Appendix D. 2001 Wisconsin Act 108 – CWD

Refer to: <http://www.legis.state.wi.us/2001/data/acts/01Act108.pdf>

**ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD REPEALING,
RENUMBERING, AMENDING, AND CREATING RULES**

The Wisconsin Natural Resources Board proposes an order to repeal NR 10.01(3)(e)3.cm. and 10.07(1)(g); renumber NR 10.001(1m); amend NR 10.01(3)(e)1. (intro.), 3.a., c. and d., 6. and 6.a., (em)1. and 3., (es)1., (ev), 10.07(1)(a), 10.104(4)(b), 10.27 (1), (2), (5) and (6), 11.02 (intro.), 11.031(title) and (intro.) and 12.10(3)(c); and to create NR 10.001 (1n), (6n), (6p), (6t), (6w), (19e), (23g) and (24m), 10.01(3)(et) and (ez)3., 10.07(2) and (3), 10.104(11) and (12), 10.105(3) and (4), 10.106(2)(e), 10.27(9) and (10), 10.28(3), 10.41, 12.06, 19.001(4) and (15m), 19.60 and NR 45.09(9) relating to the control and management of chronic wasting disease.

WM-32-02 (E)

Analysis Prepared by Department of Natural Resources

Statutory Authority: § 29.014 , 29.033, 29.307, 29.335, 29.885, 227.11 and 227.24, Stats.

Statutory interpreted: § 29.033, 29.177, 29.307, 29.335 and 29.361, Stats.

Sections 1 and 2. Defines an archery hunt as it relates to the special chronic wasting disease (CWD) control and management hunts.

Section 3. Defines CWD.

Section 4. Defines the CWD eradication zone.

Section 5. Defines the CWD intensive harvest zone.

Section 6. Defines the CWD management zone.

Section 7. Defines adequate public notice and information as it relates to defining a new CWD eradication zone.

Section 8. Defines a section of land.

Section 9. Defines a shotgun hunt as it relates to the special CWD control and management hunts.

Section 10. Modifies those deer management units participating in the regular deer gun season framework.

Sections 11 and 12. Modifies those state park properties that have a more restrictive deer season harvest limit and season framework.

Section 13. Defines all of the metro deer management units as Zone “M” and eliminates deer management unit 76M from the list of metro units which have a standard deer season framework and harvest limits.

Section 14. Updates exceptions to the regular deer archery season.

Section 15. Updates exceptions to the muzzleloader season.

Section 16. Creates the Special CWD management control hunt earn-a-buck seasons and framework for the gun and archery hunts in the deer management units, portions of deer management units and state parks that are included in the CWD management and intensive harvest zones.

Sections 17 and 18. Exempts units that are participating in the special CWD herd reduction hunts from the one-day youth antlerless deer hunt and the special herd control hunts.

Section 19. Authorizes the use of aircraft by the department to harvest, spot, rally and drive deer to help with the depopulation of deer within the eradication zone after all other control measures have been considered and also authorizes the use of buckshot from or with the aid of aircraft.

Sections 20 and 21. Prohibits the use of bait statewide for hunting and provides exceptions to allow baiting for bear hunting by imposing bait site, permit and date restrictions, and also allows the use of liquid scents for deer hunting.

Section 22. Requires participants in the CWD herd reduction hunts to comply with blaze orange clothing requirements.

Section 23. Modifies the overwinter populations for the deer management units that are included in the CWD management zones and identifies 5 new units that are created as the result of splitting the units when defining the boundaries of the CWD zones.

Section 24. Creates special CWD deer permits that authorize the harvesting of deer within the CWD management zones and creates a permit that will be issued to hunters to replace their carcass tag should they shoot a deer that appears to be diseased while hunting and defines the conditions for their use.

Section 25. Develops transportation and sampling guidelines for deer harvested within and outside of the CWD management zones.

Section 26. Develops registration guidelines for deer harvested within the CWD management zones.

Section 27. Updates state park properties that may conduct firearm, muzzleloader and late bow seasons.

Section 28. Establishes deer seasons and weapon restrictions for specific state park properties.

Section 29. Creates a map that identifies the CWD management zone and the CWD intensive harvest zone.

Section 30. Provides the department with the authority to utilize additional measures when necessary, within their legislative authority, to control the spread of CWD in the state.

Section 31 and 32. Authorizes the shooting of deer in waterfowl closed areas that are located within the CWD management zones.

Section 33 and 34. Identifies deer within the CWD eradication zone as causing a nuisances and authorizes the department to issue permits to landowners and their permittees to harvest deer during periods defined by the department throughout the year and defines the parameters of their issuance and guidelines for their use.

Section 35. Defines bird feeding devices and structures.

Section 36. Defines small mammals.

Section 37. Prohibits feeding of wildlife and outlines exceptions for birds and small mammals.

Section 38. Creates a free state park hunting access permit that is required to hunt in the state parks participating in the special CWD control hunts.

Section 1. NR 10.001(1m) is renumbered NR 10.001(1t).

Section 2. NR 10.001(1n) is created to read.

NR 10.001(24m) "Archery hunt" means a hunting period for hunting deer with bow and arrow or crossbow as authorized by s. 29.171(2) and (2m), Stats., in the area described in s. NR 10.28(3).

Section 3. NR 10.001(6n) is created to read.

NR 10.001(5q) "CWD" means chronic wasting disease.

Section 4. NR 10.001(6p) is created to read.

NR 10.001(6p) The “CWD eradication zone” is the area where the eradication of the deer herd is required to control the spread of chronic wasting disease which consists of:

(a) The sections of land contained within or intersected by a 9 ½ mile radius circle drawn from the center of the initial positive chronic wasting disease deer identified in the Dane county town of Vermont, and

(b) All sections of land contained within or intersected by a 4 ½ mile radius circle drawn from the center of the section of land found to have contained an animal that has tested positive for chronic wasting disease.

Section 5. NR 10.001(6t) is created to read.

NR 10.001(6t) The “CWD intensive harvest zone” means a zone established in s. NR 10.28(3).

Section 6. NR 10.001(6w) is created to read.

NR 10.001(6w) The “CWD management zone” means a zone established in s. NR 10.28(3) excluding the CWD intensive harvest zone described in NR 10.28(3).

Section 7. NR 10.001(19e) is created to read.

NR 10.001(19e) “Notice and information to the public that is adequate” under s. 29.063, Stats., means a department press release to the local news media and the official state newspaper and may also include the following: public meetings, telephone contacts, internet postings, brochure distribution, first class mailings and meetings with landowners in the eradication zone.

Section 8. NR 10.001(23g) is created to read.

NR 10.001(23g) "Section of land" means a numbered one square mile section of platted land within a township.

Section 9. NR 10.001(24m) is created to read.

NR 10.001(24m) "Shotgun hunt" means a hunting period for hunting deer with those firearms defined in sub. (24).

Section 10. NR 10.01(3)(e)1. (intro.) is amended to read.

Kind of animal and locality	Open season (all dates inclusive)	Limit
1. Zone “A”		
All that part of the state not otherwise listed in season zones “B” through “F” “M” or in those zones described in s. NR 10.28(3).		

Section 11. NR 10.01(3)(e)3.a., c. and d. are amended to read.

Kind of animal and locality	Open season (all dates inclusive)	Limit
3. Zone “C” – State Parks		

a. ~~Governor Dodge (unit 70C), Blue Mound (unit 70D)~~, Perrot (unit 61A) and Peninsula (unit 80C) state parks.

Muzzle loading firearm season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for up to 9 consecutive days as indicated on the permit.

One deer as authorized by hunter's choice and antlerless deer permits issued under s. NR 10.104.

Kind of animal and locality	Open season (all dates inclusive)	Limit
c. The following state parks and trails: Big Bay, Devil's Lake , Elroy-Sparta, Hartman Creek, Interstate, the Plum Island portion of Grand Traverse Islands, Kinnickinnic, Mill Bluff, Mirror Lake , Newport, Rock Island, Tuscobia-Park Falls and Willow River.	The firearm type and season length is the same as authorized for the surrounding deer management unit.	The bag limit is the same as authorized for the surrounding deer management unit.
d. Loew Lake Unit - Kettle Moraine state forest (unit 77D), Wildcat Mountain (unit 72A), Yellowstone (unit 75B) , Rib Mountain (unit 57D), Harrington Beach (unit 69C) and Brunet Island (unit 23A) state parks.	Muzzleloading firearm season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for up to 16 consecutive days as indicated on the permit.	One deer as authorized by hunter's choice and antlerless deer permits issued under s. NR 10.104.

Section 12. NR 10.01(3)(e)3.cm. is repealed.

Section 13. NR 10.01(3)(e)6. and a. are amended to read.

Kind of animal and locality	Open season (all dates inclusive)	Limit
6. <u>Zone "M"</u>		
a. Deer management units 59M, 60M, 64M, 76M and 77M.	Shotgun season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 9 consecutive days.	One buck deer or as authorized by hunter's choice and antlerless deer permits issued under s. NR 10.104.
	Shotgun season beginning on the day immediately following the season described above and continuing through the second Sunday in December.	One antlerless deer per hunter's choice or antlerless deer permit issued under s. NR 10.104.

Section 14. NR 10.01(3)(em)1. and 3. are amended to read.

Kind of animal and locality	Open season (all dates inclusive)	Limit
(em) <i>Deer bow season</i>		
1. Statewide except as established under s. NR 10.01(3)(em)2., and 3. , and (et)3.	Beginning on the Saturday nearest September 15 and continuing through the 2 nd day immediately prior to the opening of the deer gun season described in par. (e).	One deer of either sex and one antlerless deer per hunter's choice and per bonus permit issued under s. NR 10.104.
	Reopening on the day immediately after the deer gun season described in par. (e) and continuing through January 3.	One deer of either sex and one antlerless deer per hunter's choice and per bonus permit issued under s. NR 10.104.

Kind of animal and locality	Open season (all dates inclusive)	Limit
3. M, M 1, M 2, M 3 Deer management units 1M, 59M, 60M, 64M, 76M and 77M.	Beginning on the Saturday nearest September 15 and continuing through the Thursday immediately prior to the opening of the deer gun season and reopening on the Saturday immediately preceding the Thanksgiving holiday and continuing through January 31.	One deer of either sex and one antlerless deer per hunter's choice and bonus permit issued under s. NR 10.104.

Section 15. NR 10.01(3)(es)1. is amended to read.

Kind of animal and locality	Open season (all dates inclusive)	Limit
<i>(es) Muzzleloader deer season</i>		
1. Entire state, except for the areas described in subd. 2. and <u>par. (et).</u>	Beginning on the Monday immediately following the Thanksgiving holiday and continuing for 10 consecutive days.	One buck deer or as authorized by hunter's choice and antlerless deer permits issued under s. NR 10.104.

Section 16. NR 10.01(3)(et) is created to read.

Kind of animal and locality	Open season (all dates inclusive)	Limit
<i>(et) Special CWD management zone herd reduction hunts.</i>		
1. a. In the portions of deer management units 54B-CWD, 70-CWD, 70B-CWD, 70E-CWD, 70G-CWD, 71-CWD, 73B-CWD, 73E-CWD and the Iowa county portions of 70A-CWD, 75A-CWD and 75C-CWD included in the CWD management zone except state parks.	Firearm hunt October 24 –27.	One antlerless deer per gun deer carcass tag or antlerless permit. In addition, buck deer may be taken pursuant to s. NR 10.104(11). Hunter's choice and antlerless deer permits issued under s. NR 10.104 are not valid in these zones.
	Firearm hunt beginning on Saturday immediately preceding the Thanksgiving holiday and continuing for 23 consecutive days.	
	Firearm hunt beginning on the Saturday immediately preceding the Christmas holiday and continuing through January 3 rd .	
b. In the Dane, Green, Lafayette and Rock county portions of deer management units 75A-CWD, 75C-CWD, 75D-CWD, 76-CWD, 76M-CWD and 77A-CWD except for state parks.	Shotgun hunt October 24 –27.	One antlerless deer per gun deer carcass tag or antlerless permit. In addition, buck deer may be taken pursuant to s. NR 10.104(11). Hunter's choice and antlerless deer permits issued under s. NR 10.104 are not valid in these zones.
	Shotgun hunt beginning on Saturday immediately preceding the Thanksgiving holiday and continuing for 23 consecutive days.	
	Shotgun hunt beginning on the Saturday immediately preceding the Christmas holiday and continuing through January 3 rd .	

Kind of animal and locality	Open season (all dates inclusive)	Limit
c. Yellowstone (75B) and Cadiz Springs state parks	Shotgun hunt beginning on Saturday immediately preceding the Thanksgiving holiday and continuing for 23 consecutive days.	One antlerless deer per gun deer carcass tag or antlerless permit. In addition, buck deer may be taken pursuant to s. NR 10.104(11). Hunter's choice and antlerless deer permits issued under s. NR 10.104 are not valid in these zones.
d. Devil's Lake, Governor Dodge (70C) and Mirror Lake state parks.	Firearm hunt October 24 - 27. Legal hunting hours are the same as those established in s. NR 10.06 (5) except that hunting hours will close at 12:00 p.m. daily. Firearm hunt beginning on Saturday immediately preceding the Thanksgiving holiday and continuing for 23 consecutive days.	One antlerless deer per gun deer carcass tag or antlerless permit. In addition, buck deer may be taken pursuant to s. NR 10.104(11). Hunter's choice and antlerless deer permits issued under s. NR 10.104 are not valid in these zones.
e. Natural Bridge (70F) and Rocky Arbor state parks	Firearm hunt beginning on Saturday immediately preceding the Thanksgiving holiday and continuing for 23 consecutive days.	One antlerless deer per gun deer carcass tag or antlerless permit. In addition, buck deer may be taken pursuant to s. NR 10.104(11). Hunter's choice and antlerless deer permits issued under s. NR 10.104 are not valid in these zones.
2. a. In the CWD intensive harvest zone as described in s. NR 10.28(3) excluding unit 70D.	Firearm hunt beginning on October 24 and continuing through January 31.	One antlerless deer per gun deer carcass tag or antlerless permit. In addition, buck deer may be taken pursuant to s. NR 10.104(11). Hunter's choice and antlerless deer permits issued under s. NR 10.104 are not valid in these zones.
b. Blue Mounds state park (70D)	Firearm hunt October 24 - 27. Legal hunting hours are the same as those established in s. NR 10.06 (5) except that hunting hours will close at 12:00 p.m. daily. Firearm hunt beginning on the day immediately following the hunt described above and continuing through December 15.	One antlerless deer per gun deer carcass tag or antlerless permit. In addition, buck deer may be taken pursuant to s. NR 10.104(11). Hunter's choice and antlerless deer permits issued under s. NR 10.104 are not valid in these zones.

3.a. In the CWD management zone described in s. NR 10.28(3), excluding deer management unit 76M-CWD and state parks.	Archery hunt beginning on the Saturday nearest September 15 and continuing through January 3 rd .	One antlerless deer per archery deer carcass tag or antlerless permit. In addition, buck deer may be taken pursuant to s. NR 10.104(11). Hunter's choice and antlerless deer permits issued under s. NR 10.104 are not valid in these zones.
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Kind of animal and locality	Open season (all dates inclusive)	Limit
b. CWD intensive harvest zone as described in s. NR 10.28(3) and deer management unit 76M-CWD, excluding state parks.	Archery hunt beginning on the Saturday nearest September 15 and continuing through January 31 st .	One antlerless deer per archery deer carcass tag or antlerless permit. In addition, buck deer may be taken pursuant to s. NR 10.104(11). Hunter's choice and antlerless deer permits issued under s. NR 10.104 are not valid in these zones.
c. Blue Mounds state park (70D)	<p>Archery hunt October 24 - 27. Legal hunting hours are the same as those established in s. NR 10.06 (5) except that hunting hours will close at 12:00 p.m. daily.</p> <p>Archery hunt beginning on the day immediately following the hunt described above and continuing through December 15.</p>	One antlerless deer per archery deer carcass tag or antlerless permit. In addition, buck deer may be taken pursuant to s. NR 10.104(11). Hunter's choice and antlerless deer permits issued under s. NR 10.104 are not valid in these zones.
d. Devil's Lake and Mirror Lake state parks	<p>Archery hunt October 24 - 27. Legal hunting hours are the same as those established in s. NR 10.06 (5) except that hunting hours will close at 12:00 p.m. daily.</p> <p>Archery hunt beginning on Saturday immediately preceding the Thanksgiving holiday and continuing through January 3rd.</p>	One antlerless deer per archery deer carcass tag or antlerless permit. In addition, buck deer may be taken pursuant to s. NR 10.104(11). Hunter's choice and antlerless deer permits issued under s. NR 10.104 are not valid in these zones.
e. Natural Bridge (70F) and Cadiz Springs state parks	Archery hunt beginning on Saturday immediately preceding the Thanksgiving holiday and continuing for 23 consecutive days.	One antlerless deer per archery deer carcass tag or antlerless permit. In addition, buck deer may be taken pursuant to s. NR 10.104(11). Hunter's choice and antlerless deer permits issued under s. NR 10.104 are not valid in these zones.
f. Yellowstone (75B) and Rocky Arbor state parks	Archery hunt beginning on Saturday immediately preceding the Thanksgiving holiday and continuing through January 3 rd .	One antlerless deer per archery deer carcass tag or antlerless permit. In addition, buck deer may be taken pursuant to s. NR 10.104(11). Hunter's choice and antlerless deer permits issued

under s. NR 10.104 are not valid in these zones.

g. Governor Dodge state park (70C)

Archery hunt October 24 -27. Legal hunting hours are the same as those established in s. NR 10.06 (5) except that hunting hours will close at 12:00 p.m. daily.

Archery hunt beginning on Saturday immediately preceding the Thanksgiving holiday and continuing for 23 consecutive days.

One antlerless deer per archery deer carcass tag or antlerless permit. In addition, buck deer may be taken pursuant to s. NR 10.104(11). Hunter's choice and antlerless deer permits issued under s. NR 10.104 are not valid in these zones.

Section 17. NR 10.01(3)(ev) is amended to read.

Kind of animal and locality	Open season (all dates inclusive)	Limit
(ev) <i>Special youth antlerless deer hunt event.</i>		

Persons 12 years of age or older but under the age of 16 years of age who possess a certificate of accomplishment under s. 29.591, Stats., or its equivalent from another state or province, may hunt antlerless deer with a gun on the Saturday nearest October 24 in deer management units, except state park units and units or parts and parts of units described in par. (et), not included in a deer herd control hunt under s. NR 10.01 (3) (ez) or a CWD herd reduction hunt under par. (et). Allowable types of guns are those authorized on the first day of the regular gun deer season under ~~s. NR 10.01(3) par. (e).~~ The bag limit is one antlerless deer per hunter's choice or antlerless deer permit issued under s. NR 10.104. Youth who are first time graduates of the hunter education program may use their certificates of accomplishment in place of a hunter's choice permit issued under s. 29.177, Stats., to take an antlerless deer. Hunters shall be accompanied by an adult 18 years of age or older. One adult may not accompany more than 2 hunters and all other hunting regulations apply. Blaze orange requirements under s. 29.301 (2), Stats., apply to all hunters on this day except waterfowl hunters.

Section 18. NR 10.01(3)(ez) 3. is created to read.

Kind of animal and locality	Open season (all dates inclusive)	Limit
(ez) <i>Special deer herd control hunt.</i>		

3. Areas specified under this paragraph exclude areas described in par. (et).

Section 19. NR 10.07(1)(a) is amended to read.

NR 10.07(1)(a) *Aircraft.* Hunt with the aid of an ~~airplane~~ aircraft, including the use of an ~~airplane~~ aircraft to spot, rally or drive wild animals for hunters on the ground, except as authorized by the department within the CWD eradication zone defined in s. NR 10.001(6p) when all other alternatives to shooting and driving animals from aircraft have been considered and the department determines that the use of aircraft is necessary in order to control the spread of disease in animals as follows:

1. Deer may be shot from aircraft only between December 1 and the following April 15.
2. Aircraft may be used to spot, rally or drive deer for harvest or other control purposes as authorized by the department.
3. Deer may be harvested from an aircraft only on properties where the department has received landowner approval.
4. Deer driven with an aircraft may be harvested by ground shooters.
5. All ground shooters participating in control of deer with the aid of an aircraft shall wear blaze orange clothing as described in s. 29.310(2), Stats.

6. Notwithstanding s. NR 10.09(1)(a)2., any person authorized by the department to shoot deer from or with the aid of an aircraft pursuant to this paragraph, may use shotshells loaded with shot larger than no. BB to shoot deer.

Section 20. NR 10.07(1)(g) is repealed.

Section 21. NR 10.07(2) is created to read.

NR 10.07(2) BAITING. (a) *General prohibition.* Except as provided in par. (c), no person may hunt with the aid of bait or place or use bait for the purpose of hunting wild animals or training dogs.

(b) *Exceptions.* 1. Bait may be placed between June 1 and the close of the bear season for hunting bear or training dogs provided the bait is totally enclosed in a hollow log, a hole in the ground or stump which is capped with logs, rocks or other naturally occurring and unprocessed substances which prevents deer from accessing the bait material.

2. This subsection does not prohibit hunting with the aid of material deposited by natural vegetation or material found solely as a result of normal agricultural or gardening practices.

3. Baiting for purposes of trapping is governed by s. NR 10.13(1)(b).

4. Baiting for waterfowl is governed by s. NR 10.12(1)(h).

5. This subsection does not prohibit hunting over crops planted and left standing as wildlife food plots.

6. Liquid scent may be used for hunting.

7. This subsection does not prohibit hunting in accordance with s. 29.337, Stats., with the aid of feed material placed in compliance with s. NR 19.60.

(c) *Additional prohibitions.* No person may:

1. Place, use or hunt with the aid of bait material or liquid scent in excess of 10 gallons for attracting wild animals or containing honey, bones, fish, meat, solid animal fat or parts of animal carcasses.

2. Except as allowed by par. (b) 1., place, use or hunt with the aid of bait contained within or containing metal, paper, plastic, glass, wood or other similar processed materials.

3. Place, use or hunt with the aid of bait material or liquid scent within 50 yards of any trail, road or a campsite used by the public.

4. Hunt with the aid of bait material other than liquid scent without possessing a valid, unused bear harvest permit.

5. Hunt or pursue animals in an area baited in violation of this subsection or in violation of the feeding prohibitions of s. NR 19.60, unless the area is completely free of bait or feed material for at least 10 consecutive days prior to hunting, pursuing animals or dog training.

Note: Removal of unlawfully placed bait or feeding material does not preclude the issuance of a citation for the original placement of the unlawful baiting or feeding material.

Section 22. NR 10.07(3) is created to read.

NR 10.07(3) CWD BLAZE ORANGE REQUIREMENTS. The blaze orange requirements described in s. 29.301(2), Stats., apply to CWD deer herd reduction and eradication hunts under s. NR 10.01(3)(et).

Section 23. NR 10.104(4)(b) is amended to read.

NR 10.104(4) DEER POPULATION GOALS. (b) *Unit goals.* The deer population goals for each deer management unit described in s. NR 10.28 shall be expressed as the number of deer per square mile of deer range in ~~January~~ February and are as follows:

Management Unit	Deer Goal	Management Unit	Deer Goal	Management Unit	Deer Goal
1	20	40	20	65A	30
1M	10	41	25	65B	30
2	18	42	20	66	25
3	12	43	15	67A	25
4	10	44	17	67B	25
5	20	45	20	68A	30
6	12	46	25	68B	30
7	15	47	25	69	25
8	20	48	20	70-CWD	25 10
9	20	49A	25	70A-CWD	25 10
10	25	49B	25	70B-CWD	25 10
11	20	50	20	70E-CWD	25 10
12	17	51A	25	70G	30
13	15	51B	25	70G-CWD	10
14	14	52	20	71	25
15	25	53	25	71-CWD	10
16	25	54A	25	72	20
17	15	54B	25	73B	20
18	20	54B-CWD	10	73B-CWD	10
19	20	54C	25	73D	20
20	18	55	25	73E-CWD	22 10
21	25	56	30	74A	15
22	20	57	22	74B	20
22A	20	57A	25	75A-CWD	20 10
23	20	57B	25	75C-CWD	20 10
24	20	57C	30	75D-CWD	20 10
25	20	58	25	76-CWD	20 10
26	20	59A	20	76A	25
27	20	59B	15	76M-CWD	10
28	11	59C	25	77A	20
29A	12	59D	20	77A-CWD	10
29B	12	59M	10	77B	15
30	15	60A	20	77C	15
31	20	60B	20	77M	10
32	21	60M	10	78	15
33	20	61	15	80A	15
34	17	62A	25	80B	20
35	20	62B	25	81	15
36	25	63A	25		
37	25	63B	25		
38	20	64	20		
39	20	64M	10		

Note: The portion of those units which are located within the CWD eradication zone defined in s. NR 10.001(6p) will have a goal of 0 deer per square mile of deer range. A CWD suffix after a unit number pertains to the units or portion of those units that are in the CWD management zones described in s. NR 10.28(3).

Section 24. NR 10.104(11) and (12) are created to read.

NR 10.104(11) CHRONIC WASTING DISEASE SPECIAL PERMITS. In the CWD management and intensive harvest zones as described in s. NR 10.28(3) a valid gun or archery deer license and carcass tag or a special antlerless permit issued under s. NR 10.01(3)(ez), 12.06, 12.15 or 19.11 are all valid for tagging an antlerless deer or a buck deer pursuant to the procedure described in par. (a)3. In addition, the following carcass tags are valid for the taking and tagging of additional deer:

(a) *Special CWD earn-a-buck permits*. This special permit issued under s. 29.177, Stats., is valid for the taking of an antlerless deer in the deer management units or portions of deer management units included in the CWD management and intensive harvest zones as described in s. NR 10.28(3). These special permits:

1. Will be issued free of charge at a rate of up to 4 permits per day per hunter.
2. Can be used during any of the hunts described in s. NR 10.01(3)(et).
3. Can be used to tag a buck deer if:
 - a. An antlerless deer has been legally harvested and tagged prior to the harvest of the buck deer, and
 - b. The antlerless deer accompanies the buck deer until each is registered.

(b) *Special CWD buck deer permits*. A special CWD buck permit, issued under s. 29.177, Stats., is valid for the taking of a buck deer in management units or portions of deer management units included in the CWD management and intensive harvest zones as described in s. NR 10.28(3). A buck deer permit may only be issued to an individual for each antlerless deer they register in the zone described in s. NR 10.28(3) that are not used for credit on a previous buck deer. Buck deer may be killed and tagged with a buck permit only after harvesting an antlerless deer in accordance with par. (a). These permits are:

1. Valid during any of the hunts described in s. NR 10.01(3)(et).
2. Valid only for the hunter who registered an antlerless deer to secure authorization for that hunter to tag one buck deer in the CWD management or intensive harvest zones for each antlerless deer killed.
3. Issued free of charge upon registering an antlerless deer in accordance with this subdivision.

(12) SPECIAL DISEASED DEER REPLACEMENT PERMITS. The department may provide free replacement permits issued under s. 29.177, Stats., to hunters who harvest deer that are suspected of being diseased, provided that the deer is surrendered to the department or is disposed of as directed by the department. Each special permit shall be:

- (a) Issued by a department employee or a designated agent.
- (b) Issued to the hunter harvesting and tagging the suspect deer.
- (c) Issued for the type of deer authorized on the permit or license used to harvest and tag the suspect deer.

Section 25. NR 10.105(3) and (4) are created to read.

NR 10.105(3) CWD ZONE CARCASS TRANSPORTATION. In the CWD management and intensive harvest zones no person may:

(a) Transport a buck deer from the time it is killed to the time it is registered under s. NR 10.106(2)(e) unless tagged with a special CWD buck permit described in s. NR 10.104(11)(b) or accompanied by the antlerless deer that authorized the buck deer and each is tagged in the CWD management or intensive harvest zones and tagged with a special CWD earn-a-buck permit, gun or bow carcass tag, or other antlerless permit authorized in s. NR 10.104(11).

(b) Transport an unregistered deer killed outside the CWD intensive harvest zone into or through the CWD intensive harvest zone.

(c) Transport an unregistered deer killed outside the CWD management zone into or through the CWD management zone.

(4) DISEASE SAMPLING. Notwithstanding s. 29.347, Stats., any part of any animal harvested under s. NR 10.01(3) may be collected or sampled by the department for disease testing purposes prior to registration.

Section 26. NR 10.106(2) (e) is created to read.

NR 10.106(2)(e) *CWD intensive harvest and management zones*. Any deer harvested in the CWD intensive harvest zone and CWD management zone shall be registered at registration stations designated by the department within these zones no later than 5:00 p.m. on the day after it was killed, unless otherwise authorized by the department.

Section 27. NR 10.27(1), (2), (5) and (6) are amended to read.

NR 10.27(1) MUZZLELOADER SEASON. Deer hunting by muzzleloader is allowed in ~~Blue Mound, Governor Dodge,~~ Harrington Beach, Peninsula, Wildcat Mountain and Perrot state parks during the seasons specified in s. NR 10.01 (3) (e) 3.

(2) FIREARM SEASON. Deer hunting by firearm is allowed in ~~Natural Bridge and Wyalusing state parks~~ park during the season specified in s. NR 10.01 (3) (e) 3.

(5) FIREARM AND LATE BOW SEASONS. Deer hunting by firearm and bow and arrow is established by s. NR 10.01 (3) (e) 3. and (et) 1. and 2. and the December portion of s. NR 10.01 (3) (em) and the December and January portion of (et)3. for the following:

- ~~(b) Devil's Lake state park~~
- (c) Elroy-Sparta state trail
- (d) Hartman Creek state park
- (e) Interstate state park
- (f) Kinnickinnic state park
- ~~(g) Mirror Lake state park~~
- (j) Tuscobia-Park Falls state trail
- (L) Willow River state park
- (m) Rocky Arbor state park
- (q) Natural Bridge state park

(6) LATE BOW AND MUZZLELOADER SEASON. Deer hunting by bow and arrow is established for the December portion of s. NR 10.01 (3) (em) and by muzzle loader during the season established in s. NR 10.01 (3) (e) 3. for Wildcat Mountain, ~~Yellowstone,~~ Rib Mountain, Harrington Beach and Brunet Island state parks. Hunting and the bag limit is authorized by unfilled hunter's choice and antlerless deer permits issued under s. NR 10.104.

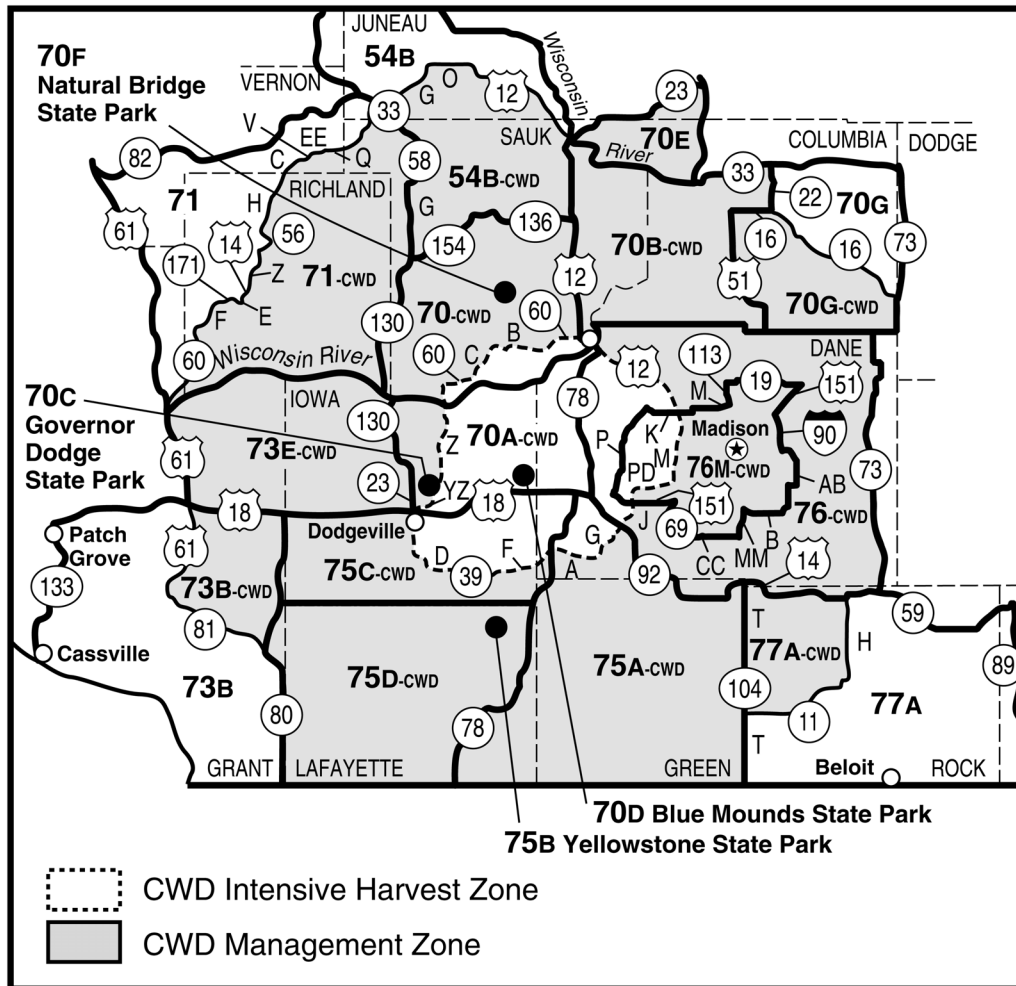
Section 28. NR 10.27(9) and (10) are created to read.

NR 10.27 (9) SHOTGUN AND LATE BOW SEASONS. Deer hunting by shotgun is established in Yellowstone and Cadiz Springs state parks during the season specified in s. NR 10.01 (3) (et)1.c. and by bow and arrow for the December portion of s. NR 10.01 (3)(et)3. in Cadiz Springs state park and during the December and January portion of s. NR 10.01(3)(et)3. for Yellowstone state park.

(10) FIREARM, EARLY AND LATE BOW SEASONS. Deer hunting by firearm is established in Devil's Lake, Blue Mounds, Mirror Lake and Governor Dodge state parks during the seasons specified in s. NR 10.01(3)(et)1. and by bow and arrow for the seasons described in s. NR 10.01(3)(et)3.

Section 29. NR 10.28(3) is created to read.

NR 10.28(3) CWD MANAGEMENT AND INTENSIVE HARVEST ZONES.



Section 30. NR 10.41 is created to read.

NR 10.41 **Official state duties.** Nothing in this chapter shall prohibit or hinder the department and its employees, duly authorized agents, or contractors from performing their official duties.

Section 31. NR 11.02 (intro.) is amended to read.

NR 11.02 **Waterfowl closed area except gun deer and special goose hunting.** (intro.) A closed season is established in the following areas as posted with department signs. No person may hunt or trap any species of wild animal thereon, except Canada geese on areas and during periods established in s. NR 10.23, and deer during periods and in areas established in s. NR 10.01 (3) (e), ~~and (es) and (et)~~, during the open seasons on waterfowl established in s. NR 10.01 (1). Legally killed or crippled game may be retrieved from such areas by dog or hand.

Section 32. NR 11.031 (title) and (intro.) are amended to read.

NR 11.031 (title) **Waterfowl closed area; trapping and deer hunting permitted.** (intro.) A closed season is established in the following areas posted with department signs. No person may hunt any species of wild animal ~~thereon, except deer during the periods and in areas~~ established in s. NR 10.01(3)(et) during the open season on waterfowl established in s. NR 10.01 (1) (b) and (g). Legally killed or crippled game may be retrieved from such areas by dog or hand.

Section 33. NR 12.06 is created to read.

NR 12.06 CWD eradication zone deer removal permits. (1) **FINDINGS.** Pursuant to s. 29.885(4), Stats., the natural resources board finds that deer within any CWD eradication zone are causing a nuisance and that the shooting of deer with nuisance permits is necessary within any CWD eradication zone defined in s. NR 10.001(6p) in order to reduce the spread of disease within the CWD eradication zone and to reduce the risk of disease spreading outside any CWD eradication zone.

(2) **PERMITS.** Landowners or lessees or occupants as authorized by the landowner within the eradication zone may, under a department issued permit, remove deer from lands under their ownership or control in accordance with this section.

(3) **PARTICIPATION BY OTHERS.** Persons other than the landowner, lessee or occupant may assist as a participant in the removal of deer in accordance with this section on the land for which the permit is valid.

(a) *Number and selection of participants.* All participants shall be selected by the permittee and shall provide their name, address, phone number and date of birth in a logbook provided by the department to the permittee.

(b) *Age and safety training.* All participants, including the permittee shall meet the requirements of ss. 29.304 and 29.593, Stats., pertaining to hunter safety and age.

(c) *Approval.* All participants shall possess written approval obtained from the permittee and the appropriate, valid hunting license unless exempted under sub. (4)(a) when carrying on removal activities. Written approval may include: name, address and phone number of landowner; name, address and phone number of the person removing wild animals; property location and removal activities, authorized period of removal, signature of the landowner or lessee, or other form of approval authorized by the department.

(d) *No fees.* The permittee may not charge any form of fee to a participant.

(4) **LICENSES, STAMPS AND PERMITS.** (a) The permittee and participants are not required to possess the appropriate state hunting license or backtag for deer.

(b) Antlerless deer harvested under the authority of this section may be used to earn a CWD buck permit issued under s. NR 10.104(11) for the authority to harvest a buck deer during the seasons listed in s. NR 10.01(3)(et) within the CWD management and intensive harvest zones identified in s. NR 10.28(3).

(5) **CARCASS DISPOSITION.** Unless otherwise directed by the department, carcasses shall be deposited in accordance with the procedures outlined on the permit issued by the department. Any part of any deer harvested under this section may be collected by the department for disease testing purposes.

(6) **HARVEST PERIODS.** Permits issued to landowners under this section are valid only for the periods specified by the department on the permit.

(7) **SHOOTING HOURS.** Permittees and participants shall comply with shooting hours described in s. NR 10.06 (5), unless exempted by the department. Exemptions may be granted by the department to allow shooting of deer one hour before sunrise to one hour after sunset.

Note: Copies of shooting tables showing these hours shall be provided to all permittees for their reference and for distribution to participants.

(8) **WEAPON USE.** The following conditions shall apply to the use of firearms, bows or crossbows on deer shooting permits:

(a) Permittees and participants shall comply at all times when hunting with the blaze orange clothing regulations of s. 29.301 (2), Stats., unless exempted by the department. Exemptions may be granted where local ordinances prohibit the discharge of firearms and bow hunting or a trained sharpshooter during the closed deer gun season are the only methods available to remove deer.

(b) Except as provided under par. (c), and unless otherwise directed by the department, the weapons designated by the department on the permit will be valid to harvest deer under the authority of the permit identified in sub. (2).

(c) In counties with deer shotgun seasons, a permittee and participants that have been authorized by the permittee may use a rifle that is not otherwise prohibited by s. NR 10.09(1)(c)2.

(9) **REGISTRATION.** Permittees and participants shall register deer taken under this section in accordance with the procedures designated by the department on the permit.

(10) **VALIDATION.** Any person who kills a deer or if s. 29.234, Stats., applies, the person providing the carcass tag shall immediately validate and attach the carcass tag as designated by the department.

Section 34. NR 12.10(3)(c) is amended to read.

NR 12.10(3)(c) ~~All~~ Except as authorized in s. NR 12.06 (3)(c), all participants and persons assisting participants shall possess written approval from the permittee and the appropriate, valid hunting or trapping license when carrying on removal activities. Written approval shall include: name, address and phone number of landowner; name, address and phone number of the person removing wild animals; property location and removal activities, authorized period of removal, species of animals authorized for removal, signature of the landowner or lessee, and date.

Section 35. NR 19.001(4) is created to read.

NR 19.001(4) “Bird feeding devices and structures” means any device or structure that has the primary purpose of attracting or feeding birds or small mammals.

Section 36. NR 19.001(15m) is created to read.

NR 19.001(15m) “Small mammals” mean all mammals other than bear, deer and elk.

Section 37. NR 19.60 is created to read.

NR 19.60 Feeding of wild animals for non-hunting purposes. (1) PROHIBITIONS. (a) Except as provided in this section, no person shall place, deposit or allow the placement of any material to feed or attract wild animals.

(b) Landowners, lessees or occupants of any property where feeding in violation of this section occurs shall remove all food illegally placed or deposited upon notification by the department of the illegal activity.

Note: Elevated feeders that are designed to deposit food on the ground are prohibited .

(2) EXCEPTIONS. This paragraph does not prohibit:

(a) Material placed solely for the purpose of attracting and feeding wild birds and small mammals when placed in bird feeding devices and structures at a sufficient height or design to prevent access by deer and only when the structures and devices are no further than 50 yards from a dwelling devoted to human occupancy. If the department determines that wild deer are utilizing bird feeding devices or structures, the devices or structures shall be enclosed or elevated higher to prevent access by deer.

(b) Feeding of wild animals, other than deer, by hand is allowed if:

1. Feed is placed not more than 30 feet away from the person feeding
2. The person feeding makes all reasonable attempts to clean up the unconsumed food before moving a distance greater than 30 feet from the deposited food.

(c) Food deposited by natural vegetation or found solely as a result of normal agricultural or gardening practices.

(d) Standing crops planted and left standing as wildlife food plots that may be used by wild animals.

(e) Food material placed for bear hunting or dog training as specified in s. NR 10.07(2).

(f) Food material placed for trapping as specified in s. NR 10.13.

Section 38. NR 45.09(9) is created to read.

NR 45.09(9) CWD STATE PARK DEER HUNTING ACCESS PERMIT. (a) Unless authorized by the department, no person may hunt deer in accordance with the hunts described in s. NR 10.01(3)(et) in the following state parks without first obtaining a free state park deer hunting access permit and a property map identifying those areas closed to deer hunting within the park properties.

1. Devil’s Lake state park
2. Mirror Lake state park
3. Rocky Arbor state park
4. Blue Mounds state park
5. Governor Dodge state park
6. Natural Bridge state park
7. Yellowstone state park
8. Cadiz Springs state park

(b) The number of access permits issued will not be limited in number.

Note: Permits will be available at the state park office and other locations designated by the department.

The emergency rule procedure, pursuant to s. 227.24, Stats., is necessary and justified in establishing rules to protect the public health, safety and welfare. The state legislature has delegated to the department rule - making authority in 2001 Wisconsin Act 108 to control the spread of Chronic Wasting Disease (CWD) in Wisconsin. CWD poses a risk to the health of the state's deer herd and citizens and is a threat to the economic infrastructure of the department, the state, its citizens and businesses.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on

The rules shall take effect upon publication in the official state newspaper.

Dated at Madison, Wisconsin _____

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By _____
Darrell Bazzell, Secretary

(SEAL)